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TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	09/255,222	
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	First Named Inventor	Williams et al.	
	Art Unit	1724	
	Examiner Name	Hruskoci, P.	
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES

APPLICANTS: Williams et al.

SERIAL NO.: 09/255,222

GROUP ART UNIT: 1724

FILED: February 22, 1999

EXAMINER: Hruskoci, P.

FOR: UREA SULFATE AND UREA HYDROCHLORIDE IN PAPER AND PULP
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ATTORNEY DOCKET NO.: P2160/187847

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REPLY BRIEF

This Reply Brief is being filed pursuant to 37 C.F.R. § 1.193 and responds to the Examiner's Answer filed June 3, 2004.

ARGUMENT

Among other rejections, the Examiner has maintained the rejection of claim 36 as being obvious under 35 U.S.C. § 103(a) over Sargent et al. (U.S. Patent No. 5,234,466). However, if the claimed invention was obvious over Sargent, et al. alone, it should also be entitled to priority from that date.

The Examiner has drawn distinctions between the group recited in claim 36 and the disclosure of Sargent et al. without providing explanation regarding how the distinctions were made. The Examiner stated that

the pulping solution, pulping effluent stream, and recycling pulping process stream recited in the instant claims are considered patentably indistinguishable from the paper manufacturing stream containing pulp, which is degraded in the bleaching stage as disclosed in Sargent et al.

Examiner's Answer, page 4. However, the Examiner also states that the subject matter of claim 36 is not entitled to the filing date of Sargent et al. because the claims recite new subject matter: "process stream or solution selected from the group [sic] as in claims 6 and 36." Examiner's Answer, page 4. The Examiner has therefore stated that some members of the claimed group are indistinguishable from Sargent et al. and some are not, allowing the Examiner to reject the claim, yet deny priority to the reference. The Examiner has not explained how or why some of the claimed group are indistinguishable and others are not, and Appellants do not understand how he arrived at these conclusions. Furthermore, it is Appellants position that either all of the group is indistinguishable, or all of the group is not.

If the entire recited group is patentably indistinguishable, then the disclosure of Sargent et al. reasonably indicates that the inventors had possession of the presently claimed invention as of the filing date of Sargent et al. If the entire recited group is patentably distinguishable, then the Examiner has failed to make a sustainable rejection for obviousness.

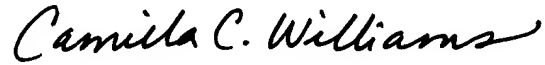
Therefore, the obviousness rejection of claim 36 is erroneous and Appellants respectfully request that the Board reverse this rejection, as well as the other rejections of the claims, for the reasons set forth in this Reply and in the Appeal Brief.

CONCLUSION

For the foregoing reasons, the Examiner's rejections of claims 1-6 and 36 were erroneous and reversal of his decision and allowance of the these claims is respectfully requested.

If additional fees are due, please charge any such additional fees to Deposit Account number 11-0855.

Respectfully submitted,



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